

1 where the phone numbers were. And that was the only
2 thing that I could possibly think. I couldn't think of
3 nothing else.

4 Q Did other people know where that file
5 was?

6 A Not necessarily, no, because he kept it
7 in -- he would keep it down in the back in the back of
8 the drawer. No, it was just copies of newspaper
9 articles, and so forth, of different things that
10 pertained to him or different things that pertained to
11 judges and stuff, because he would fax it to some of
12 his friends and stuff. And this is like newspaper
13 articles. This is not stuff that's written up or
14 anything, it's what the newspapers write.

15 Q Is it the credenza or the drawers in the
16 chamber room, the private office or the chamber room,
17 that drawer where you said he would keep the news
18 clippings?

19 A No, he kept those in here. It would be
20 on this side, bottom drawer in the back.

21 GRAND JUROR: Okay.

22 BY GRAND JUROR:

23 Q Do you know what's in the credenza behind
24 the chair?

25 A What's in the credenza behind the chair?

1 Q Yes.

2 A Nothing. There's a blanket. Not -- when
3 I'm saying a blanket, it's like one of those like
4 throws. There's the safe depos -- there's like a safe
5 box, not a deposit box, but a gun box because I keep my
6 gun in that. And that's it.

7 There's really nothing in there; no
8 files, no paperwork, nothing. Everything that he keeps
9 is in his office because he doesn't -- even though this
10 is his private office, he doesn't stay in here like a
11 lot of judges do.

12 The majority of the judges stay in their
13 private office. But he has a very tiny private office,
14 it's not big, so his, everything that he does, his
15 computer, the whole nine yards, everything in his
16 drawers and desk, everything is in here. So he stays
17 in here all the time. That's where he works out of.

18 MR. HILL: Yes, ma'am.

19 BY GRAND JUROR:

20 Q When was it Sylvia leaves at night?

21 A No, I'm Sylvia. Myra.

22 Q When Myra leaves, does the cleaning crew
23 come in after she goes home?

24 A No, no, it's a long time before they come
25 in.

1 Q Okay. Do they clean the judges'
2 chambers? Do they open the door and go in there and
3 clean and would possibly leave the door open, or is
4 there a possibility of that?

5 A The only thing that they come in there to
6 do that I've ever seen them come in there to do, which
7 would be really late, like close to six o'clock, is
8 just to empty the garbage cans. I don't see them in
9 there vacuuming.

10 Q Okay.

11 A I don't -- there is a vacuuming -- and I
12 do know this for a fact, there's like a crew that comes
13 through, and all they do is dump the garbage cans. And
14 then late at night, I'm talking when I would work
15 mediation, I'm going to leave 8:00, 8:30, something
16 like that, in comes the vacuuming crew. There's
17 another crew that does nothing but vacuum all the
18 floors.

19 Q They wouldn't go in the chambers to
20 vacuum --

21 A No.

22 Q -- or to go into those doors?

23 A No. The only time they would do that
24 would be really late at night after everybody is gone.
25 The girls that come in, they dump the garbage cans and

1 clean the bathrooms. And then the second crew that
2 comes in later in the evening, they're the vacuuming
3 crew. And that's late.

4 Q Okay. Did Myra make special allowances
5 on your Teen Court nights as far as doors or lights?
6 Did she leave any lights on or leave any doors open
7 that she would normally have not?

8 A Well, sometimes if she knew I was coming
9 back she might, you know, leave lights on or doors on
10 or whatever. And I think that night she thought I was
11 gone because I wasn't there and I was work -- and I
12 would have been back, but I got stuck because I took,
13 like I said, I took another bailiff's job over at --
14 well, she was leaving so I told her I would cover for
15 Judge Essrig.

16 And when I came back everything was dark.
17 She had closed up everything except the -- those, all
18 those doors were open except the judge's chambers.
19 That door was open also, but it was dark in there.
20 Everything was dark except his private office and then
21 the break room.

22 Q But normally she wouldn't leave them for
23 you you're saying?

24 A No, normally it's all dark.

25 Q Even on your Tuesday and Thursday nights?

1 A Right. Or if I stayed in there sometimes
2 then, you know, if I -- like when I'm there on Tuesday
3 and Thursday night and I didn't have court anywhere
4 else, then none of that would go off. All that
5 would -- all the lights would stay on. But normally
6 she locked up everything.

7 MR. HILL: Are there any last questions?
8 BY GRAND JUROR:

9 Q One, if I may. Now, this is back to this
10 check and the money and the trip, I'm going to help get
11 this date changed and all that, done on company time or
12 after hours?

13 A On what now?

14 Q We're talking about the money, so to
15 speak, and this check that it's got to have the
16 corrected date and all that. These little trips and
17 all this you saw, I heard over the phone, I heard the
18 phone conversation, during business hours or after
19 hours?

20 A During business hours.

21 GRAND JUROR: Okay. Thank you.

22 THE WITNESS: Yes, sir.

23 BY GRAND JUROR:

24 Q Getting back to where her husband, Tara's
25 husband, Carmine, --

1 A Uh-huh.

2 Q -- he mentioned to her a threat more or
3 less against the judge. I mean, he never did get to
4 see the judge, but he mentioned sort of a threat.
5 Because, this is where I want to finish my sentence
6 what you had said, because he saw what? He saw some
7 notes or something? Why was he tee'd off?

8 A The only -- well, that night.

9 Q He saw some -- you said that he saw some
10 notes or something to that effect, and --

11 A Okay.

12 Q -- I didn't get it.

13 A Somehow either that day or the day before
14 he got into the computer. They have a computer.

15 Q That's the computer, okay.

16 A Right. And she had been typing her notes
17 out on the computer and he read them. And that's what
18 set him off.

19 Q Okay. That's what I wanted to know.

20 A Because he saw things there -- he'd been
21 told about a lot of things, but there was things there
22 he was not aware of that gave him a rough time.

23 GRAND JUROR: Thank you.

24 MR. HILL: We're going to ask you to take
25 the oath, and then we'll wrap this thing up.

1 (Whereupon, Michael Edenfield, Esq., was
2 duly sworn by the Hon. Alfred C. Thullbery, Jr.,
3 Assistant State Attorney.)

4 MR. EDENFIELD: I do. Question,
5 Mr. Hill.

6 MR. HILL: Yes, sir.

7 MR. EDENFIELD: Ordinarily if I were not
8 in here I know Sylvia could not tell me what
9 she's testified to. Since I've been here during
10 part of it, may I, after we adjourn, inquire of
11 her as to where the questions went before I came
12 in?

13 MR. HILL: I think that had I known you
14 were there you would have been in here from the
15 beginning.

16 MR. EDENFIELD: Uh-huh.

17 MR. HILL: I would simply ask that you
18 respect it and keep it to that.

19 MR. EDENFIELD: Oh, absolutely.

20 MR. HILL: And no one else.

21 MR. EDENFIELD: Absolutely.

22 MR. HILL: Let me also tell you that, I
23 certainly don't know this is going to happen,
24 but we may need you back at a later date.

25 THE WITNESS: Okay.

1 MR. HILL: You've been most helpful, and
2 I appreciate it. It's a strain, and we know
3 that. Counselor, thank you.

4 MR. EDENFIELD: Thank you.

5 THE WITNESS: Am I through for today, or
6 do I need to --

7 MR. HILL: Yes, ma'am, you're through for
8 today. Are you going up to see Judge Holder?

9 THE WITNESS: Yes, we both are.

10 MR. HILL: Tell him be on standby. We
11 are going to have him down here in just about
12 twenty minutes.

13 THE WITNESS: Okay. I'll tell him.
14 Thank you. Bye-bye.

15 (The witness left the Grand Jury room,
16 and a brief recess was taken, after which the
17 next witness was called, as follows:)

18 Whereupon,

19 GREGORY P. HOLDER,
20 was called as a witness, and being duly sworn, was
21 examined and testified as follows:

22 DIRECT EXAMINATION

23 BY MR. HILL:

24 Q Have a seat. Good afternoon, Judge.

25 A Good afternoon, sir.

1 Q Judge, would you state your full name for
2 the Grand Jury?

3 A I am Gregory P. Holder.

4 Q Let's learn a little bit about you. Tell
5 us about your educational background.

6 A I grew up in Melbourne, Florida. My
7 father is a retired Senior Master Sergeant from the
8 United States Air Force. I entered the United States
9 Military Academy in 1 July 1971, graduated 4 June 1975,
10 was commissioned as a 2nd Lieutenant in the United
11 States Air Force, which at that point we could do.

12 Vietnam had ended while I was a cadet at
13 West Point. I had appointments to the Naval Academy
14 and to the Air Force Academy, but I chose West Point
15 for two reasons: (1) Viet Nam was going on, and I
16 thought that at the age of 17 if I went to Vietnam, I
17 wanted to be in the Army.

18 And secondly, my aunt and uncle lived in
19 New York City; and my cousins and family was important
20 and always has been. And so I graduated 4 June, was
21 commissioned immediately, took my 60 days leave in
22 Melbourne, Florida, and reported to Lackland Air Force
23 Base, Florida for flight training.

24 Finished the T-41 training, which is a
25 Cessna 172, was about to report to Williams Air Force

1 Base, Arizona for jet training, and they discovered I'd
2 been knocked unconscious while I was a cadet at West
3 Point, had slipped on the stairs, concrete stairs, and
4 was out for about ten minutes and was unconscious. And
5 so I've got an abnormal squiggle.

6 And in 1975 the laws of supply and demand
7 kicked in and there were too many pilots, and so I was
8 medically disqualified. But I had an engineering
9 degree, and so they sent me to Eglin Air Force Base,
10 Florida, Fort Walton Beach, and I was assigned to the
11 armament lab where I designed bombs and warheads for
12 two years, worked on the Hard Destruction Munition
13 Program, which was a dual-stage warhead in 90 pounds of
14 octal, the front conical shaped charge, followed by 400
15 pounds of triaminotrinitrobenzene. And we worked on a
16 slapper detonator with Lawrence Livermore Lab out in
17 California. And we were trying to penetrate hardened
18 structures such as we saw in Iraq during Desert
19 Shield/Desert Storm. And that was a conventional
20 munition.

21 I left Eglin Air Force Base and reported
22 to Stetson University College of Law in a funded legal
23 program paid for by the Air Force in August of 1979,
24 and graduated in December '81. Went straight through
25 to graduate from law school and become an Air Force

1 JAG.

2 Reported to Hill Air Force Base, Utah for
3 two years, where I worked as a claims officer and
4 prosecuted and defended Air Force members charged with
5 crimes. Left there as the area defense counsel in
6 February 1984 and reported to Osama Base in the
7 Republic of Korea, spent fifty weeks there defending,
8 again, as area defense counsel, one of two defense
9 counsel working throughout the Pacific; Okinawa, the
10 Phillipines, Japan, but primarily Korea.

11 I came back to MacDill Air Force Base in
12 1985 in February, and my wife became pregnant with our
13 first child, Daniel. He was born November 18, 1985 at
14 MacDill Air Force Base. I was the Deputy Staff Judge
15 Advocate there for three-and-a-half years.

16 I finished my active duty service
17 commitment of 13 years, 6 months and 25 days on December
18 28, 1988. I resigned my regular commission, took a
19 Reserve commission in the Air Force Reserve, and left
20 to enter private practice; was an associate with Taub &
21 Williams doing commercial litigation, and eminent
22 domain defense, and some government work as well. We
23 were City Attorney for the City of Temple Terrace.

24 In 1991 we formed the firm of Williams,
25 Reed, Weinstein, Schifino & Mangione. I was a partner

1 in that firm. I ran for County Judge in 1994 and was
2 elected by at least 65 percent of you here, so thank
3 you, and ten months later sent my irrevocable letter of
4 resignation to Governor Lawton Chiles that I'm running
5 for Circuit Judge. And the law states that you can do
6 that, but it is irrevocable. And if you're not elected
7 to the circuit bench, then you become a lawyer again.

8 Fortunately, I was elected unopposed to
9 the circuit bench in '96, and have been a Circuit Judge
10 since then. I have been assigned as a County Judge to
11 the Criminal Division dealing with misdemeanors; as a
12 Circuit Judge to the Juvenile Division dealing with
13 dependency, delinquency, and termination of parental
14 rights; the Civil Division for two years; and now the
15 Family Law Division.

16 I've been married to Dee Kabliska, my
17 wife, for 24 years. She is a retired Air Force
18 Lieutenant Colonel. She was an Army officer, a nurse
19 when I met her, became a nurse midwife, has a
20 Bachelor's Degree from the University of Iowa, and a
21 Master's from C.W. Post/Long Island University in
22 business, and a Master's midwifery degree from the
23 University of Utah. And that's about it.

24 Q That's good. That's good. This is going
25 to be great. I'm just going to hit the start button

1 and sit down. This is going to work.

2 You're still involved with the military;
3 is that right?

4 A I am. I've served over 25 years, about
5 25 years 3 months. I'm currently one of only five
6 Reserve military judges in the world today. I preside
7 over courts martial along the Eastern Seaboard.

8 I was assigned from '96 to 2000 to the
9 Central Circuit of the Air Force Judiciary. I'm now an
10 assigned to the Eastern Circuit Air Force Judiciary.

11 Q Wonderful. How often do you have to go
12 on duty?

13 A About every other month I will preside
14 over a courts martial, again, at one of the Eastern
15 Seaboard bases. Now currently I was just in Denver for
16 the survey of the law along with about 500 other JAGs
17 and paralegals from throughout the world, both Active
18 Reserve and National Guard.

19 Q A lot of things we've got to cover. I
20 think what I want to do is actually start with the date
21 of July the 27th, and then we will work out from there.

22 A Very good.

23 Q July 26th did you leave to go on military
24 duty?

25 A I did. I was scheduled to leave on the

1 25th, but I had cracked a tooth. So I had to go on an
2 emergency basis to my dentist to have a crown put on
3 the tooth, and so I delayed it for one day.

4 Q How well-known was the fact that you were
5 leaving to go on military duty?

6 A Extremely well-known. I always
7 publicize, if you will, the fact that I'm gone so that
8 if there are any emergencies, the other judges know
9 that although I'm accessible, I carry a pager and a
10 cell phone whenever I leave, they are usually ready,
11 willing and able to jump in to help with my division.

12 I personally told the Chief Judge F.
13 Dennis Alvarez and Judge Gaspar Ficarrotta of the exact
14 schedule of my departure and return to Tampa.

15 Q How else might you publish that
16 information? Is there an e-mail system or anything to
17 that --

18 A I use the intranet e-mail system. I'm
19 not sure I used it that time. But I personally told
20 Judge Alvarez and Judge Ficarrotta, Judge Gaspar
21 Ficarrotta.

22 Q All right. Do you know if they commonly
23 spread that word to your fellow judges?

24 A Yes, because it has been a topic of
25 conversation. There have been judges, in fact about

1 eight months ago the Chief Judge contacted me and said
2 that one of my colleagues had become upset that I was
3 gone on military duty.

4 He had checked it. And Florida law
5 provides that state employees can and should serve in
6 their Reserve capacity. And, in fact, in the six years
7 that I've served as a judge, both county and circuit,
8 I've only taken one one-week vacation because I feel
9 guilty being gone, because I'm gone generally about 20
10 to 30 days per year on military duty.

11 Q All right. Let me talk a little bit
12 about your relationship with some of these other
13 judges.

14 A All right.

15 Q Would you just characterize for us
16 generally your relationship with Judge Bonanno?

17 A I don't have a relationship with Judge
18 Bonanno.

19 Q Professionally speaking?

20 A In six years he's been in my office
21 twice.

22 Q All right. Both of those times, we've
23 heard some information about that, both of those times
24 dealing with your new computer system?

25 A He came down twice, once to deal with the